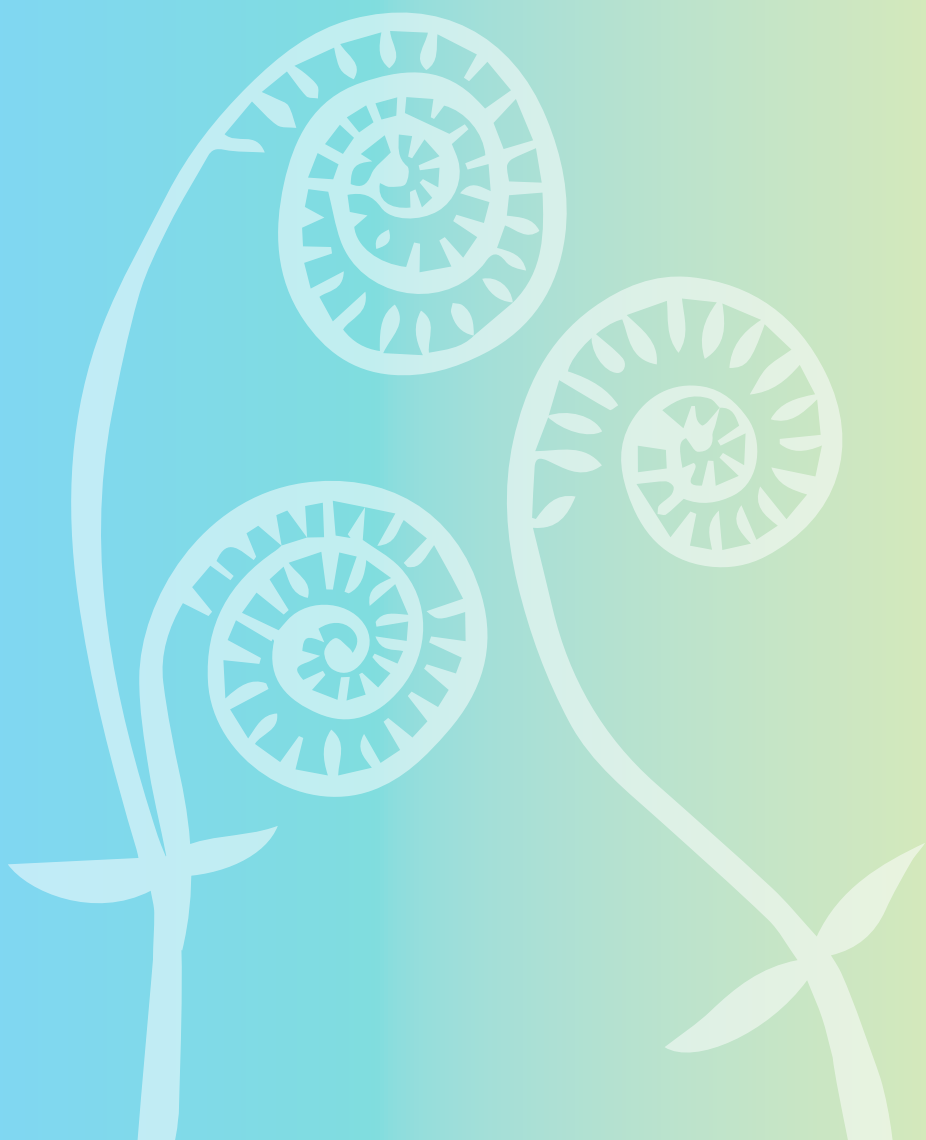


Do I Stay or Leave?



Making the choice to stay or leave can be difficult. There are people who can help you decide what is right for you, your relationship with your partner, and your children. It can be helpful to talk with someone who has walked this journey with others.

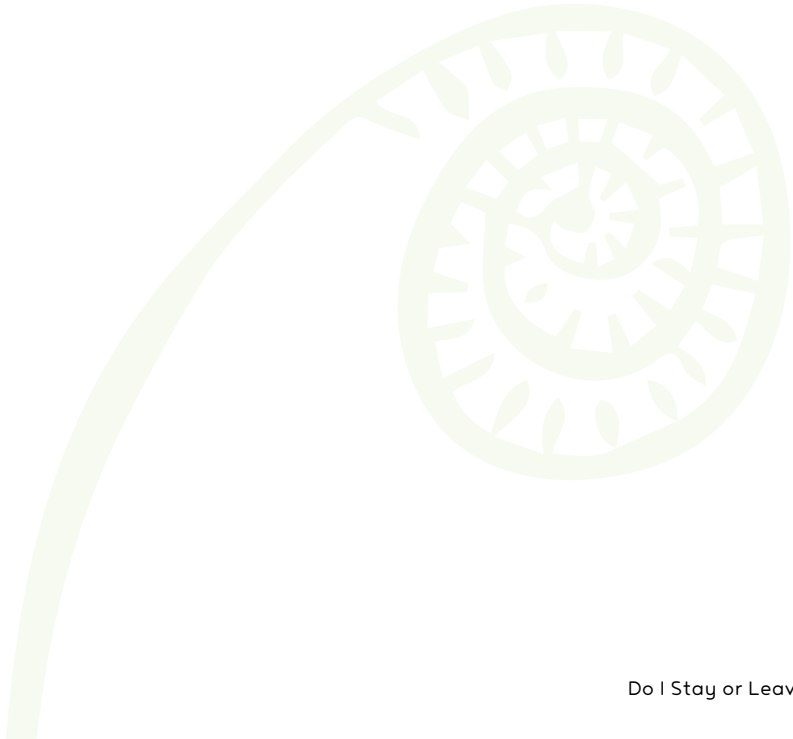
Call the Transition House Association of Nova Scotia's 24-hour toll-free number to just talk: 1 855 225 0220.

How safe is it to stay?

Sometimes people who have experienced abuse say they feel safe in their relationships even if there is abuse.

Before you can make positive choices about your life, you need to be safe.

Sometimes it can be difficult to know how safe you are. For example, if you are in a relationship where the abuse has increased gradually over time, it can be hard to tell how dangerous your situation really is. Sometimes you might not want to tell anyone how serious the danger is because you blame yourself or feel ashamed about what is happening.



SAFETY

The situation may be dangerous if your answers YES to any of these questions:

Has your partner ever threatened to kill you or anyone else?

Does your partner own a weapon?

Has your partner tried to physically prevent you from leaving?

Do you think your partner might physically hurt you and/or your children?

Has your partner ever assaulted you when you were pregnant?

Has your partner been violent toward others outside the family?

Has your partner been abusive when drinking alcohol or taking drugs?

If the answer to any of these questions is yes, you may find it useful to talk to someone about how to stay as safe as possible while planning what to do next.

You should NOT tell your partner if you are planning to leave.

What can I do if I am worried about my safety?

If you feel like you are in immediate danger, call 911 or the police right away.

You can call police and report abuse at any time. It does not have to be an emergency.

If you are concerned about your abusive partner threatening or harming you, you can also apply for a Peace Bond or an Emergency Protection Order (EPO).

Emergency Protection Orders (EPOs)

If domestic violence has occurred, and your situation is serious and urgent, you can apply for an Emergency Protection Order (EPO). You should check with the local police, transition house, or victim services office to talk about applying and to make safety plans for you and your children.

EPOs are short term, temporary orders granted under the Domestic Violence Intervention Act to help protect victims of abuse at a time of crisis.

An EPO can provide a number of conditions including:

- giving you exclusive occupation of your home for up to 30 days
- giving you temporary possession of personal property, such as a car
- giving you or somebody else temporary care and custody of your children
- directing a peace officer, such as a police officer, to remove your partner from the home and accompany you to your home to supervise getting your personal belongings, or accompany your partner to supervise getting their personal belongings.

It can require your partner to:

- stay away from any place identified in the order, such as your home and workplace
- have no contact with you or another person
- not take, sell, or damage property
- not commit any further acts of abuse against you.

An EPO can be put in place right away, and can last up to 30 days. You can apply for an EPO over the phone by calling a Justice of the Peace Centre (*see page 137 for numbers*), or you can go to a transition house where trained staff can help you apply. Police and victim services officers can also help you apply for an EPO at any time. Interpretation may be available for those who need it.

Unlike a Peace Bond, the abuser (called the respondent) will not receive notice when you apply for an EPO. If an EPO is put in place, the police will notify the respondent as soon as possible. Once notified, the respondent must follow the conditions of the EPO.

To apply for an EPO you must:

- be at least 16 years old
- have experienced abuse from a person you are, or have been, in an intimate relationship with
- live with the abusive partner now, or have lived with them in the past, or have a child or children together even if you have never lived with each other.



Peace Bonds

A Peace Bond is a court order you can apply for if you fear that your partner or ex-partner will harm you, your family, or your property. A Judge will consider your reasons for the peace bond, and make a decision.

A Peace Bond can require that your abusive partner stay away from you for as long as one year. A Peace Bond may require that the abuser:

- have no direct or indirect contact or communication with you, your children, or others
- stay away from your home, workplace, or other locations
- not drink alcohol or use non-prescription drugs
- not have and/or use firearms
- follow any other conditions that the Judge feels are important to keep you safe.

Only a Judge can order a Peace Bond. Usually both you and the abuser will have to go to a court hearing for a Peace Bond.

Interpretation may be available if you are hearing impaired or need a translator.

Applying for a Peace Bond may take some time. If you have an EPO and you think you might want to apply for a Peace Bond in the future, you should talk with a lawyer. In most cases, an application for a Peace Bond can be made at Provincial Court. Family Courts and Supreme Court (Family Divisions) usually do not deal with Peace Bonds.

Unlike an EPO, a Peace Bond application requires that the person named receives notice that an application has been made and has a chance to respond.

If your situation is urgent you may want to talk with a lawyer, the police, a victim services office, or transition house staff about applying for an EPO as the EPO provides emergency assistance for individuals at a time of crisis. Longer term measures such as peace bonds may then be accessed.

Deciding to stay

Understanding reasons for staying

Often people ask “Why don’t you just leave?”

There are many legitimate reasons why you might stay, even if you do not love your partner or even if you see no potential of the relationship changing. Rather than judging you, others should try to understand your reasons for staying. Often there is more complexity in your relationship than just your partner’s abusive behavior.

You might identify with the following reasons for staying with your partner.



Emotional reasons for staying:

- feeling of not being able to cope alone
- fear of threats made by your partner
- fear that your partner will take revenge on you for leaving
- fear of going to Court or calling the police
- feeling responsible for failing and/or for breaking up the family
- fear of loneliness
- loving your partner and hoping that your partner will change
- believing that you are to blame for your partner's abuse
- fear of blame or rejection by your family or friends
- fear of losing your partner by leaving temporarily
- fear of your partner's threats to keep the children
- fear of your partner's threats to commit suicide or kill you and/or the children
- self-shaming in seeing yourself only as a victim
- not recognizing that you are a victim of abuse.

Financial reasons for staying:

- having no income of your own, or an income that is lower than your partner's
- having debt you share with your partner
- having to leave the family home
- lack of job skills
- a belief that your partner will not pay maintenance or support
- insufficient government assistance
- feelings of shame if you need to rely on government assistance
- lack of affordable child care and housing
- lack of information about your legal rights

Social, cultural, and religious reasons for staying:

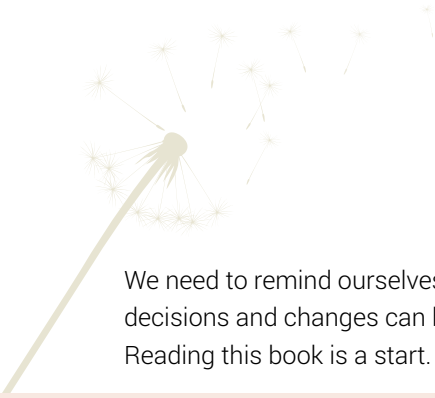
- fear of victim-blaming, or the attitudes of others who deny or minimize the abuse
- social pressure on women to feel responsible for relationships
- religious beliefs about women's roles and/or beliefs about marriage
- cultural pressures such as concerns about shame and family honour
- lack of culturally competent support services and institutions
- fear of social disapproval if you separate or divorce
- belief that you can change your partner if you are loving enough
- belief that you need a partner to be whole
- belief that children need a two-parent household
- lack of support or isolation from family and friends
- inadequate support from police, the legal system, etc.
- lack of information about your legal rights
- isolation from your community.

RESOURCES

Transition house counselors can help you even if you are not staying at one. They can give you support over the phone. If you want to, you can arrange a visit to the transition house to speak with someone in person. Some houses have workers who can meet you in your home or somewhere safe. These phone calls are confidential and you do not need to give your name.

Call the Transition House Association of Nova Scotia's 24-hour toll-free number to just talk: 1 855 225 0220.

Deciding to leave



We need to remind ourselves that we are strong. Making decisions and changes can be confusing and difficult. Reading this book is a start.

SAFETY

If you are in immediate danger, call 911.

If you are seeking help or are looking for information about abuse, call the **Transition House Association of Nova Scotia's 24-hour toll-free line: 1 855 225 0220**

If you are in an abusive relationship, you may need to leave in an emergency.

In some situations, even if you fear for your life, you could be afraid to leave or feel that you cannot leave.

You always have the option to leave for a while, or you can leave permanently. You have the option to leave even if it's not an emergency situation.

Leaving can be a very hard decision to make. You may find that leaving for a while and returning works for you. This may show your partner that you are serious about the need for change. However, despite your partner's promises to change, you may also find that the abuse continues and the only way to stop it is to leave for good.

Whatever you choose to do, you need to believe in yourself.

Where can you go to be safe?

You need to be somewhere safe. You may want to think about where your partner might look for you and where your partner wouldn't find you. You could stay with a friend or a relative. You could also go to a hotel or a transition house.

Transition houses are emergency shelters for women, with or without children.

There are several transition houses in Nova Scotia. They all take children. Transition houses have staff who will work with you to understand your options. Some transition houses are wheelchair accessible. Transition houses do not allow pets.

Transition houses usually have secret addresses so that women can stay safe. When you call a transition house, staff will arrange to meet with you. If you are in an emergency situation and the police are called to your home, the police can drive you to the transition house.

You can call the Transition House Association of Nova Scotia's toll-free number (1 855 225 0220) to find the nearest transition house. *See pages 155–156 of this book for a list of Transition House phone numbers.*

There will be someone to listen to you at the transition house. Staff can give you advice about your medical, legal, and financial situation. They will help you explore what you can do. They will not force you to do anything. You can decide what's best for you.

What you discuss with transition house staff will be private. However, there are some exceptions. You should ask transition house staff to explain these exceptions. One important exception is that anyone who suspects that a child is being abused must report this to Child Protection Services. This includes staff at transition houses.

At transition houses:

- You can stay for up to six weeks
- Food, clothing, and other necessities are provided
- There is no cost to stay, but you are expected to help with cooking and housework, and to abide by house rules.

There will be other women and children at the transition house. It may help you just to talk with someone who has had a similar experience.

If you stay at a transition house, you and your children may be given a private room, or you may have to share a room with others.

All transition houses have outreach programs and workers who will continue to help you once you leave the transition house.

If you decide not to stay at a transition house, transition house staff can still help you with information and referral services.

Some transition houses have wheelchair accessible rooms and baths (*see pages 155–156 for houses that are wheelchair accessible*).

If the abuse continues

Once you leave, your partner's abusive behaviour may continue for a while, or get worse. Your abusive partner may try to control you financially, through the children, through the courts, through physical abuse, or by threatening and harassing you. One way you can handle this is to have as little contact with your partner as possible. You can do this by communicating through your lawyer, or through the police when necessary. If you are still afraid, you can apply for a Peace Bond if you don't have one yet.

Your abusive partner may:

- be very loving and generous
- shower you with gifts and attention
- try to scare you into returning
- use relatives or friends to pressure you

If your abusive partner continues to contact you, they may be breaking the conditions of their release, or they could be charged with criminal harassment. You should keep a written record of all contact with your abusive partner as well as what your partner does or says. You should also keep any written or recorded messages from your partner. You should tell the police, your partner's probation/parole officer (if your partner has one), and your lawyer if your partner contacts you.

Transition house staff, the police, the probation/parole officer, provincial and police Victim Services, your lawyer, a counselor, or a supportive friend can help you get through this period. You shouldn't be afraid to ask for help. You don't deserve to be harassed. You deserve a better life.

The page features a light green background with a pattern of dandelion seed heads and seeds. Some seeds are shown in the process of being blown away, with long, thin stems trailing behind them. The overall aesthetic is clean and natural.

RESOURCES

To find your nearest **transition house**, see pages 155–156, or visit thans.ca/get-help/find-a-shelter.

For provincial and police **Victim Services** contact information, see page 157.

You can find more information about post-separation abuse from the **Legal Information Society of Nova Scotia**: legalinfo.org.

Internet and computer safety

Computers and mobile devices can store a lot of private information, including:

- emails
- texts
- instant messages
- internet searches
- bookmarked webpages
- webpages viewed
- internet-based phone and IP-TTY calls
- web-based purchases
- banking

SAFETY

If you are in danger, it is important that you try to use a safe computer that your partner cannot access. You can use a computer at a public library, at a community centre, or at a trusted friend's house.

If you think you are being monitored on your home computer, you should be careful. It doesn't take special skills to monitor someone's computer and Internet activities—anyone can do it. You may want to keep using the monitored computer for regular, everyday activities like looking up the weather, and use a safer computer to research an escape plan, look for new jobs or apartments, arrange travel, or ask for help.

It is not always possible to delete or clear all the “footprints” that show what you have been doing on your computer and online. Also, if you are being monitored, it may be dangerous to change your computer activity (for example, by suddenly deleting the entire Internet history if that is not your regular habit).

Email and Instant/Text Messaging (IM) are not safe or confidential ways to talk to someone about the danger or abuse in your life. If possible, you should call a crisis line on a safe phone instead.

If you use email or IM to communicate about the abuse, make sure to use a safe computer or mobile device, and an account your partner does not know about.

Cyber-Protection Act

If your abusive partner is harassing you online, or if you are a victim of cyberbullying or unwanted sharing of intimate images, you are protected under the law.

You can speak to someone at the **CyberSCAN** unit of Nova Scotia. CyberSCAN staff can help victims find a solution to a dispute involving cyberbullying or the sharing of intimate images.

They can contact the person who shared the images or cyberbullied the victim to try to resolve the matter informally using dispute resolution, including advice, negotiation, mediation and restorative practices.

These services are *voluntary*, so you don't have to participate if you don't want to. CyberSCAN can also help victims navigate the justice system and understand their options. This is a free service.

CyberSCAN staff can help you in gathering evidence, looking into your issue, and coming to a resolution. Though the CyberSCAN unit sometimes works with police, it is not the police.

If you are experiencing online harassment and abuse, you can contact the CyberSCAN unit at 1-855-702-8324 or 902-424-6990 within the HRM to file a complaint.

For more information and definitions of what cyberbullying or an intimate image is under the law, go to cyberscan.novascotia.ca.

Intimate Images and Cyber-Protection Act

The Intimate Images and Cyber-Protection Act aims to discourage people from bullying others online or by text or email, and from sharing intimate images of someone without their consent.

The act also gives victims a way to respond when these things happen.

Cyber-protection orders

If you're a victim of cyberbullying or unwanted sharing of intimate images, or a parent or guardian of a victim under the age of 19, you can also apply to the Supreme Court of Nova Scotia for a cyber-protection order under the Intimate Images and Cyber-protection Act.

A cyber-protection order can be issued to stop the bullying or image-sharing.

These orders may tell someone to:

- stop sharing an intimate image
- stop posting communications that would be considered cyberbullying
- stop contacting the victim in the future
- take down or block access to an intimate image or communication
- decide that an image is an intimate image or that communication is cyberbullying
- participate in dispute resolution
- pay damages to the victim

The fee to file an application is \$218.05. You must also get a law stamp from the Court Administration Office for \$25.00 + HST.

If your income is below a certain amount, you may apply to have the court fees waived so you won't have to pay them. To do this, you will have to complete a **Waiver of Fees Application** and file it with the **Court Administration Office**.

RESOURCES

Court Administration Offices: courts.ns.ca/Courthouse_Locations/HRM_Courthouses.htm

What you need to know about the Intimate Images & Cyber-Protection Act: <https://novascotia.ca/cyberscan/documents/What You Need To Know about the Intimate Images and Cyber-Protection Act.pdf>)

LEGAL INFO

You can apply for a protection order from the Justice of the Peace Centre by calling 1-866-816-6555 or emailing JPcentre@gov.ns.ca

Abuse and the workplace



Abuse can affect every aspect of your life, including your job. You may:

- miss work
- be distracted at work
- be less productive at work
- be more stressed than usual
- be worried you will lose your job if you talk about the abuse.

There are things you can do to help your employer help you stay as safe as possible at work. You could:

- let your employer know if you have protection orders or restraining orders, and if the workplace is mentioned in the orders. It may be helpful to give your employer a copy of the orders.
- give your employer a recent photo or description of your partner. This can help security and reception staff know who to look for or screen.
- write down all incidents of abuse in the workplace, and how the abusive behavior affects your work. Your employer can work with you to address performance issues.
- talk to your employer about scheduling policies or other human resource policies and practices that could help you.

There are ways your employer may be able to help keep you safe at work. You may want to ask:

- if you could work in locations where you are not visible and easily accessible to visitors. This will help prevent people seeing you from outside.
- to have your contact information removed from public records and directories.
- if a co-worker or a supervisor could screen your calls.
- for a new phone number.
- to have your partner's email address blocked from the office system.
- to have a panic button installed in your work area.
- for a well-lit, priority parking spot near the building.
- if a co-worker could escort you to and from your vehicle or public transportation.
- for a cell phone with a pre-programmed 911 security feature.
- for information about resources and people who could offer support.

If you work with your abusive partner, there are steps your employer can take to keep you as safe as possible. These steps could include:

- making sure that the abuser does not work closely with you, or have access to your workspace.
- making an effort to give both employees different work schedules, or having them work at different sites.
- holding your abusive partner accountable for any unacceptable behavior in the workplace, and using disciplinary procedures to deal with abuse.
- calling the police if your abusive partner engages in violence or other criminal activity such as stalking or unauthorized electronic monitoring in the workplace.
- making sure your job is not negatively impacted because you told your employer about the abuse.

(Adapted from Safety Planning at Work, Centre for Research and Education on Violence Against Women and Children: makeitourbusiness.com/guidelines/safety-planning-at-work)

Domestic Violence Leave

As of January 1, 2019, an employee who experiences domestic violence or whose child experiences domestic violence, is entitled to take a leave from work of up to ten days, which can be taken intermittently or consecutively, and/or sixteen consecutive weeks in each calendar year.

Domestic violence leave may be taken to:

- seek medical attention for the employee or their child for physical or psychological injuries, or disability caused by the domestic violence
- obtain psychological or other counselling from a qualified person for the employee or their child
- obtain services from a victim services organization, transition house, the Department of Justice, a municipal police department, or the RCMP
- seek legal or law enforcement assistance, including to prepare for or participate in legal proceeding related to or resulting from the domestic violence
- relocate temporarily or permanently.

Employees are entitled to a leave of absence if:

- the employee has been employed at their current job for at least three months
- the employee or a child of the employee experiences domestic violence.

If an employee needs to take domestic violence leave, they must let their employer know in writing as soon as possible.

RESOURCES

*For more information, you can contact
Nova Scotia Labour Standards:*

Phone 902-424-4311

Toll-free within NS 1-888-315-0110

Email: LABRSTD@novascotia.ca

novascotia.ca/lae/employmentrights

Learn about the new leave under the Nova Scotia Labour Standards Code that will allow employees to take time off from work when dealing with domestic violence:
<http://lae.velsoftlabs.com>

Once you have left

Once you are safe, you can take some time to decide what to do next. You will need time and space to make decisions that are best for you and your children.

Some of the first things you may need to do is to find out about:

- where you can go to be safe
- your legal rights
- what to do if you don't have enough money
- how to get child support and child custody.

The following sections provide some information about these issues.

Where do I live?



When you leave an abusive situation, you can go to a transition house, a motel, or stay with your friends or family. In some communities, you may be able to get low-cost housing. The nearest **Housing Nova Scotia** office will have information about low-cost housing. Their offices are listed in the blue pages at the back of the phone book, and online: housing.novascotia.ca.

You can visit the Housing Nova Scotia website for more information and for application forms (housing.novascotia.ca/programs/public-housing-and-other-affordable-rental-programs). You can also call 211 to find out about the different types of housing available, and how to apply.

In some communities, women who need ongoing housing support may apply to stay at **second stage housing**: safe and affordable housing for women where you can stay for up to two years. Your local transition house will have information about second stage housing. You can call your local transition house (pages 155–156), or call the **Transition House Association of Nova Scotia's** toll-free number (1 855 225 0220) for more information.

The process for getting a place in second stage housing is different depending on the organization. For example, to get the support you need, you may have a telephone interview and then a follow-up meeting. Some second-stage housing organizations have a support worker who will work with you to figure out your housing needs. You may have to go through an application process. *For more information, you can contact the second-stage housing organization nearest you. Contact information for second-stage housing can be found on page 152 of this book.*

Renting an apartment or house

Newspaper and websites like Kijiji are good places to start looking for an apartment. The classified ads often contain information about what is available, the cost of rent, and what is included.

LEGAL INFO

The law says that a landlord **cannot refuse to rent an apartment to someone because they have children**. They can, however, refuse to rent to people with pets.

When you rent an apartment, it is usual for you to sign a **lease**. A lease is a contract stating who is renting the place, how long it will be rented for, the cost of rent each month, and which services will be paid by the tenant and landlord. By law the landlord must give the tenant a copy of the lease.

You usually have to pay a **damage deposit** when you sign a lease. A damage deposit is usually half a month's rent. If the apartment is not damaged when you move out, this money should be refunded by the landlord. If it isn't, you can apply to Residential Tenancies to get your damage deposit back.

For information on tenancy issues and contact information for Residential Tenancies, visit:

novascotia.ca/sns/access/land/residential-tenancies.asp

If you are receiving income assistance, ESIA may pay the damage deposit in some cases if the health and safety of you or your family are in question. YWCA Halifax's December 6th fund may also be able to help:
ywcahalifax.com/programs/violence-against-women .



What do I want in an apartment?

When you call to ask about an apartment, you can ask about the safety of the building, the cost, whether heat and lights are included, the damage deposit fee, the amount of space, and the location of, and distance to, schools.

There are also some questions you should ask yourself when looking for an apartment, such as:

Safety

What do you need to be safe from your partner?

Do you need to be on the third floor or higher?

yes no

Do you need a building with security?

yes no

Cost

How much can you pay for rent?

How much can you pay for heat and lights?

Are heat and lights included in the rent?

yes no

Space

How many bedrooms do you need?

How much space do you need?

You may be eligible for basic **Income Assistance** if the income you have to pay for your basic needs is less than the amount you may receive on income assistance. The amount of assistance you receive depends on your circumstances. Find out more at: novascotia.ca/coms/employment/income_assistance/index.html

Income assistance only allows a certain amount for rental costs. You can visit the Income Assistance website to find out how much assistance is available:

novascotia.ca/coms/employment/income_assistance/BasicAssistance.html

Monthly Shelter Allowance

(retrieved from: novascotia.ca/coms/employment/income_assistance/BasicAssistance.html)

Family Size	Rent or Own a Home	Boarding
1	\$300*	\$223
2	\$570	\$242
3+	\$620	\$282

** Up to \$535 under certain circumstances*

Monthly Personal Allowance

Shelter situation	Adult	Dependent child age 18 to 20	Dependent child under 18
Rent, own home, board	\$275	\$275	\$133 *
In hospital 30 days or more	\$125	\$125	Not applicable
In a residential rehabilitation program	\$101	\$101	Not applicable

** If you do not get the Nova Scotia Child Benefit or the National Child Benefit Equivalent for a dependent child under the age of 18, you can ask for a Child Benefit Adjustment (CBA). You must file your income tax each year to get your Child Tax Benefits. Ask your caseworker for more information.*

Ending a lease early

Under a year-to-year lease, a tenant normally ends their lease by giving notice three months before the anniversary date. A fixed-term lease normally ends at the end of the term, and the tenant is financially responsible for their rent until their lease ends.

If you are renting a home or apartment and you experience abuse, you may be able to end your lease with only one month's notice, and without any financial penalty.

How can you end a lease early because of abuse?

If you have experienced abuse and want to end your lease early, you need to contact the Department of Justice Victim Services. You will need to fill out an application for a Domestic Violence Certificate and provide one of two things:

EITHER an Emergency Protection Order that was issued during the last 90 days and that has not been overturned by the Court.

OR the following **three things together**:

- a complaint about domestic abuse filed with the police that identifies you as the victim, and
- a peace bond or other court order that is currently in force that contains a no-contact order because of domestic abuse, and
- an assessment by Victim Services that says that you have been a victim of domestic abuse.

RESOURCES

For more information, or to begin your application for a **Domestic Violence Certificate**, you can contact the Nova Scotia Victim Services office in your area, visit novascotia.ca/just/victim_services/contact.asp, or call their toll-free line: 1-888-470-0773. They will help you with the application process to get a Domestic Violence Certificate and explain how you should submit the notice to your landlord.

For more information about **ending a lease early** because of abuse, you can visit: nsfamilylaw.ca/family-violence/ending-lease-early-domestic-violence-certificates

What happens to our house?

If you are married or in a Registered Domestic Partnership, you and your partner have equal legal rights to the house. If you are in a common law relationship, you may also have some entitlement to a property that you and your partner shared.

Whether you are married, in a Registered Domestic Partnership, or in a common law relationship, you should talk with a lawyer about your property rights.

RESOURCES

For information about the **differences between a marriage, a Registered Domestic Partnership, and a common law relationship**, visit the Nova Scotia Family Law website: nsfamilylaw.ca/what-are-some-differences-between-common-law-relationship-and-registered-domestic-partnership

Unless there is a court order or written agreement saying otherwise, both partners have a right to live in the matrimonial home.

If you are married or in a Registered Domestic Partnership, the house cannot be sold without your consent even if the house is in your partner's name, but you should get legal advice as soon as possible.

If you are not married or in a Registered Domestic Partnership, you only have the right to remove anything that you owned before the relationship, or bought during the relationship.

Your personal belongings remain yours. You may also take the children's belongings if they are with you.

For information about taking the children with you, see page 110.

If you cannot agree about what happens to the house, you will have to go to Court where a Judge will decide.

Can I keep my partner out of our shared home?

You can talk to your lawyer about applying to the Nova Scotia Supreme Court or Supreme Court (Family Division) to get an “exclusive possession order.” The laws that apply to homes on reserves also allow you to apply for an exclusive possession order. If you live on a reserve and your partner is a member of a First Nation and you are not, you can still apply for an order.

You cannot keep your spouse or partner out of a matrimonial home without a court order such as a family court order, a peace bond, or an emergency protection order.

Your spouse or partner has no right to enter a property you have rented as long as their name is not on the lease.

RESOURCES

For information about **ending a lease early** because of abuse, see page 84.

For more information on **abuse and your rights**, visit The Nova Scotia Legal Information Society’s factsheet on Domestic Violence: legalinfo.org/i-have-a-legal-question/newcomers-to-canada

You can also find **general information, legal FAQs, and resources** concerning abuse at the Family Law Nova Scotia website: legalinfo.org/i-have-a-legal-question/family-law/#family-violence

What happens if our house is located on a reserve?

If you or your partner is a member of a First Nation and you live in a property on a reserve, different laws apply for dividing matrimonial property.

Under Canadian law, First Nation communities are allowed to create their own matrimonial property laws. If the First Nation has not made its own matrimonial property laws, there are federal laws that apply instead. These federal laws also apply to common law couples.

The division of property on a reserve depends on whether a spouse or common law partner is a member of the First Nation where the house is located. You should speak with a lawyer who can tell you how the law applies to your situation.

What if I do not have enough money?

Financial Support

If you don't have enough money, you may qualify for the **Employment Support and Income Assistance (ESIA)** program. The ESIA program provides income assistance for basic living needs, prescription drug coverage, and employment supports to help you work towards becoming self-sufficient. You may qualify for help from ESIA right away in an emergency situation.

RESOURCES

To apply for ESIA, you can contact the local Department of Community Services office. *A list of offices can be found at novascotia.ca/coms/departement/contact, and on pages 135–136 of this book.* Any information you give to ESIA will be kept confidential. A caseworker will meet with you to fill out an application and consent form and let you know if you are eligible. You can appeal any decision made about your eligibility.

If you are able to participate in employment-focused activities, ESIA staff will work with you to support your employment plan. If you are not able to participate in employment activities, staff will work with you to ensure that you receive the services you need to support yourself and your family.

If you leave your home and are expecting a cheque in the mail from your employer, EI, Income Assistance, or child and family benefits, you can call those offices and ask them not to mail your cheque to your home address. It is best if you call as soon as possible. You can have your mail sent to a new address. For a fee, the post office will re-address your mail for up to a year. It will take five to ten days for the post office to start sending your mail to your new address.

If you receive provincial and federal credits such as the Nova Scotia Child Benefit (NSCB), National Child Benefit (NCB), Goods and Service Tax Credit (GST), and the Nova Scotia Affordable Living Tax Credit (ALTC), it is important that you tell the Canadian Revenue Agency (CRA) about any changes to your address, your marital status, your income, or how many children you have.

RESOURCES

You can update your information with the **Canadian Revenue Agency** online (canada.ca/en/revenue-agency/services/e-services/e-services-individuals.html), or by calling and speaking to a representative.

Individual income tax and trust enquiries: 1-800-959-8281

Universal child care benefit, Canada child tax benefit:
1-800-387-1193

GST/HST credit for individuals: 1-800-387-1193

Whether you leave in an emergency, for a short time, or for good, you have every right to take your children with you, especially if you think they will be in danger if they are left behind.

If you take your children with you, there may be fewer problems later. If you get a divorce or decide not to go back and you don't have your children with you, it can take months for the courts to make a decision about custody. You should get legal advice if you want to take your children out of province. *See Your Children, starting on page 105, for more information.*

Spousal Support

Spousal support/maintenance is money paid by one former partner to the other. It is often paid to the partner who has a lower income. The laws about spousal support are quite complicated, and there are many different factors that Courts will take into account. You can ask your lawyer about whether you should make an application for spousal support.

More information about spousal support can be found at: nsfamilylaw.ca/spousal-support/general-information-spousal-support.

Getting a Job

There are a number of agencies throughout Nova Scotia that provide support for career planning and job searching. Some of these agencies work exclusively with women. See pages 135–136 of this book for a list. These agencies can help you prepare to return to employment, including helping you figure out:

- how to look for work
- what skills you have
- the type of work you would like
- what jobs exist
- what job training courses are available

It can help to tell everyone you know that you are looking for a job. Sometimes people know about jobs you can apply for.

RESOURCES

The **Department of Community Services** has resources to help people find employment
novascotia.ca/coms/employment/employment_services/index.html

Employment Nova Scotia has free employment services across the province that offer job search help. Employment Nova Scotia or Service Canada can also provide a list of agencies where you can find help with your job search.
novascotia.ca/employmentnovascotiacanada.ca/en/services/jobs.html

YWCA Halifax provides interest-free microloans and individualized support to women who want to leave abuse, but feel like they need to stay because of financial reasons, barriers to adequate housing, among other reasons. Women can contact YWCA Halifax. Visit ywcahalifax.com/programs/violence-against-women or call 902-423-6162 for information about eligibility and how to apply.

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